

# House Bill No. 4473

## Concerns:

1. Frequency of Inspections - Inspections every five (5) years is too long for properties with high tenant turnover, especially older properties. In this period of time, there can be substantial changes to the condition of property. Inspection fees are not unreasonable and the benefits to protect tenants are substantial. Not all tenants complain about code violations even if they exist. (See item 4 below) The number of violations allowed before more frequent inspections is also excessive and unrealistic and does not consider the seriousness of the violations.
2. The provision eliminating inspections for HUD or MSHDA homes is unreasonable. The Housing Quality Standards that HUD uses are inadequate and reliance on them would create a much lower standard than for most local housing codes. For example, HUD standards allow a bed linen over a door way to serve as a door and holes in walls that are less than 8x11.
3. The definition of "reasonable" fees is too narrow. Administrative overhead expenses (e.g. cost of scheduling, monitoring, writing and archiving reports) should be allowed. Limiting the fees only to those related to the inspector will cut down on funds to building departments which are already shorthanded in most communities.
4. The amendment does not address the negligent landlords. Perhaps consideration should be given to a provision requiring landlords to pay for complaint based inspections if violations are substantiated.
5. Additionally, a provision should be considered that requires an inspection upon the change in ownership or the conversion of a property to a rental unit. Neither the current law nor the amendment requires this inspection.
6. Penalties or fines should be imposed upon landlords who avoid inspections through fraud.
7. Penalties should be imposed upon Landlords who fraudulently obtain a homestead exemption.

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